

PLAINTIFFS' EXHIBIT 4

Docket# 17-060545DATA Copies 6/7/17
Atty copies _____

SOUTHAMPTON TOWN JUSTICE COURT
ARRAIGNMENT AND DISPOSITION

OFFENSE: 4120 117

DEFENSE ATTY: _____

ATTY ADDRESS: _____

ATTY PHONE: _____

LEGAL AID: _____ REF'D: _____

BAIL: _____ REC'D: _____

REC'T# _____

PAID BY: _____

BAIL RETURNED\$ _____ DATE _____

CHECK# _____ TO: _____

BAIL APPLIED\$ _____ DATE _____

BAIL POUNDAGE\$ _____ DATE _____

CHECK# _____ TO: _____

SET BAIL: _____

COMMITTED: _____ ROR: _____

PLEA GUILTY: _____ PLEA N/G: _____

LIC SUSP/REVOKED: _____

REMARKS: ar 6/7/17 1-

BF3562370

| | | | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------|-----------------|------------------------------------------------|-------------------|----------------------|--------|-------|
| LAST NAME | | FIRST NAME M.I. | | POLICE AGENCY | | | | |
| Silva, David T | | | | The People of The State of New York VS. DEC-06 | | | | |
| NUMBER & STREET ADDRESS | | APT. NO. PHOTO LIC SHOWN | | | | | | |
| 905 Middle Gate Rd | | | | | | | | |
| CITY | | STATE | ZIP CODE | OWNER IS OPER | LIC CLASS/ID TYPE | | | |
| Shinnecock | | NY | 11968 | 0 | 0 | | | |
| I. D. NUMBER | | SEX DATE OF BIRTH (MMDDYY) | | | | | | |
| 518766495 | | M 091775 | | | | | | |
| STATE | | LICENSE EXPIRES (MMDDYY) | | VEH. TYPE | VEH. YR. | | | |
| NY | | 091717 | | | | | | |
| PLATE # | | REG. STATE | | REGISTRATION EXPIRES (MMDDYY) | | | | |
| | | | | | | | | |
| THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS | | | | | | | | |
| TIME (24hour HHMM) | | DATE OF OFFENSE (MMDDYY) | | VTL | TRAFF. RULES | ADMIN. CODE | PRHPL. | ECL |
| 0630 | | 042017 | | 0 | 0 | 0 | 0 | 0 |
| IN VIOLATION OF: (SECTION AND SUBDIVISION) | | TR | M | NAV | TAX | TRANS | NYCRP | TITLE |
| 40.1 (c)(ii) | | 1 | 1 | 0 | 0 | 0 | 0 | 6 |
| DESCRIPTION / NARRATIVE | | OTHER LAW | | MPH | | IN MPH ZONE | | |
| Possessed in excess of limit to wit: 32 decels over the limit (limit 25) | | | | COL VEH | BUS | HAZ MAT | | |
| PLACE OF OCCURRENCE | | US DOT# | | HWY # | | LOCATION CODE | | |
| Bridges of Taylor's Creek just off 450 Meadow Ln | | | | 15601 | | | | |
| IN THE <input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village | | COUNTY OF: SUFFOLK | | PRECINCT. | | | | |
| OF: Southampton | | COMPLAINANT SIGN AND PRINT NAME/RANK | | Affirmed under penalty of perjury. | | | | |
| E. Laci | | E. Laci | | /ECO | | | | |
| RADAR OPERATOR NAME (Print) | | | | | | | | |
| DATE AFFIRMED | | ARREST TYPE | OFFICER ID # | OFFICER'S COMMAND | | | | |
| 060617 20 | | | 620 | M66 | | | | |
| THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW IN THE: | | | | | | | | |
| <input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village <input type="radio"/> Criminal <input type="radio"/> District | | | | | | | | |
| COURT OF: Southampton Town Court | | COUNTY OF: Suffolk | | SUMMONS PART: | | | | |
| ADDRESS: 32 Jackson Ave | | | | | | | | |
| CITY: Hampton Bays | | STATE: NY | ZIP CODE: 11946 | | | | | |
| <input checked="" type="radio"/> RETURN BY MAIL BEFORE, OR IN PERSON ON: | | | | | | | | |
| <input type="radio"/> MUST APPEAR IN PERSON ON: | | 06/07/17 at 09:00 AM | | | | | | |
| FOR COURT USE ONLY | | | | | | | | |
| COURT CODE | JUSTICE CODE | DATE ADJUDICATED | | DATE SENTENCE IMPOSED | | | | |
| CHARGE CONVICTED OF: <input type="radio"/> AS ABOVE <input type="radio"/> VTL <input type="radio"/> OTHER | | DISPOSITION / SENTENCE | | | | FINE | | |
| | | | | | | | | |
| AMT BAIL FORFEITURE DATE | | <input type="radio"/> LIC <input type="radio"/> REV <input type="radio"/> SUSP <input type="radio"/> MAND <input type="radio"/> PERM | | | | DAYS / MONTHS / YEAR | | |



BF3562370

Southampton Town Justice Court

STATE OF NEW YORK }
}ss:
COUNTY OF Suffolk}The People of the State
of New York

-vs-

David T. Silva (DOB: 09/17/1975)

Defendant(s)

Name Environmental Conservation Police Officer Evan Laczi, Of New York State Environmental Conservation
(Complainant) Shield # 620 Police205, N. Belle Meade Road, e. Setauket, New York, being duly sworn, says that on or about
11733April 20th At 450 Meadow LN , in the Town of Southampton,
2017-at 6:30 Southampton, New York
AM,

County of Suffolk, State of New York, the defendant

David T. Silva 403 Middle Gate Rd. Shinnecock NY 11966

Did wrongfully and unlawfully committed the offense(s) of:

Possessed on the waters of the marine and coastal district, as defined in Environmental Conservation Law (ECL) in excess of the possession limit specified for such species

In violation of 40.1(b)(iii) / 11-1303/ 71-0923
SectionTitle 6 New York Code of Rules and Regulations (6NYCRR)/ New York
State Environmental Conservation Law, (ECL)

In that:

Part 40 Marine Fish

(Statutory authority: Environmental Conservation Law, §§ 11-0303, 13-0340, 11-1303, 13-0329, 13-0340-a, 13-0340-b, 13-0340-c, 13-0340-e, 13-0340-f, 13-0341, 13-0343)

Sec. 40.1 Marine fish-open seasons, size and catch limits

(b) General provisions.

(1) It is unlawful for any person to take or possess on the waters of the marine and coastal district, as defined in Environmental Conservation Law (ECL) Section 13-0103, or the shores thereof, or anywhere inland from such shores in the counties of Suffolk, Nassau, Queens, Kings, Richmond, New York, Bronx, and those portions of Westchester County within the marine and coastal district bordering on Long Island Sound, fish of the species listed in Tables A, B or C:

(iii) in excess of the possession limit or trip limit specified for such species, except that where a weekly limit or biweekly limit is specifically authorized by the department pursuant to subdivision (i) of this section, such fish shall not be taken or possessed in excess of the weekly limit or biweekly limit specified for such species.

Sec. 13-0339-a. Atlantic cod (*Gadus morhua*), Atlantic sturgeon (*Acipenser oxyrinchus*), shortnose sturgeon (*Acipenser brevirostrum*), American eel (*Anguilla rostrata*), Atlantic herring (*Clupea harengus*), American shad (*Alosa sapidissima*), alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), squid (*Cephalopoda*), and Hickory shad (*Alosa mediocris*).

1. The department may fix, by regulation, measures for the management of the following species:
- b. American eel (*Anguilla rostrata*) until December thirty-first, two thousand sixteen,

Sec. 71-0923. Violations.

8. Any violation of sections 13-0329, 13-0330, 13-0331, 13-0333, 13-0334, 13-0335, subdivision one of section 13-0337, 13-0338, 13-0339, 13-0339-a, 13-0340, 13-0340-a through 13-0340-g, 13-0341, 13-0342, 13-0343, 13-0347, and 13-0349 of this chapter, or of any regulation adopted pursuant to the foregoing sections, shall be punishable by imprisonment of not more than fifteen days or by a fine of the greater of two hundred fifty dollars or:

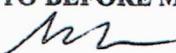
c. for violations involving more than twenty-five fish, shellfish or crustaceans, one hundred dollars for each fish, shellfish or crustacean taken or possessed in violation of the above sections; or by both such fine and imprisonment.

TO WIT:

The defendant, On the above stated date, time and location, possessed 222 American Eels in excess of the possession limit specified for such species (possession limit 25) on his person and another 98 eels in his net. 320 Eels over the limit.

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

SWORN TO BEFORE ME, This 6th Day of June 2017.


SIGNATURE OF OFFICIAL ADMINISTERING OATH
LT. Sean Reilly, Shield # 387


ECO Evan Laczi, Shield #620

| | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------|-------------------------------|--------------------------|-----------------------|
| LAST NAME | | FIRST NAME M.I. | | LOCAL POLICE CODE | |
| Silva, David T. | | | | POLICE AGENCY DEC/DEC | |
| NUMBER & STREET ADDRESS | | | | APT. NO. PHOTO LIC SHOWN | |
| 405 Middle Gate Rd | | | | | |
| CITY | | STATE | ZIP CODE | OWNER IS OPER | LIC CLASS/ID TYPE |
| Shinnecock | | NY | 11968 | | D |
| I.D. NUMBER | | SEX | DATE OF BIRTH (MMDDYY) | | |
| 51 876 6495 M | | | 09 17 75 | | |
| STATE | | LICENSE EXPIRES (MMDDYY) | VEH. TYPE | VEH. YR | VEH. MAKE VEH. COLOR |
| NY | | 09 17 17 | | | |
| PLATE # | | REG. STATE | REGISTRATION EXPIRES (MMDDYY) | | |
| | | | | | |
| THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS | | | | | |
| TIME (24hour HHMM) | | DATE OF OFFENSE (MMDDYY) | | | |
| 0630 | | 04 20 17 | | | |
| IN VIOLATION OF: (SECTION AND SUBDIVISION) | | TR | M | ADMIN CODE | PRHPL ECL |
| 130335 | | I | N | | |
| DESCRIPTION / NARRATIVE | | VTL TRAFFIC RULES | | | |
| Did not Possess Commercial fowl fish license, to wit: Used fyhe net greater than 40 feet | | MAN LAW TAX LAW NYCR TITLE | | | |
| PLACE OF OCCURRENCE | | OTHER LAW | | | |
| Waters of Taylor's Creek Just off 450 Meadow Ln. | | | | | |
| IN THE <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village | | MPH IN MPH ZONE | | | |
| OF: Southampton | | COL VEH | BUS | HAZ MAT | |
| COMPLAINANT, SIGN AND PRINT NAME/RANK | | US DOT# | | | |
| E. Lucci / ECO | | HWY # LOCATION CODE NCIS 15601 | | | |
| RADAR OPERATOR NAME (Print) | | | | | |
| DATE AFFIRMED | | ARREST TYPE | OFFICER ID # | | OFFICER'S COMMAND |
| 060617 00 | | | 620 | | NC 6 |
| THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW IN THE: | | | | | |
| <input checked="" type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village <input type="radio"/> Criminal <input type="radio"/> District | | | | | |
| COURT OF: Southampton Town Court Suffolk/11 SUMMONS PART | | | | | |
| ADDRESS: 32 Jackson Ave | | | | | |
| CITY | | STATE | ZIP CODE | | |
| Hampton Bays | | NY | 11946 | | |
| RETURN BY MAIL BEFORE, OR IN PERSON ON: 06 07 17 at 09:00 A.M. | | | | | |
| MUST APPEAR IN PERSON ON: | | | | | |
| FOR COURT USE ONLY | | | | | |
| COURT CODE | | JUSTICE CODE | DATE ADJUDICATED | | DATE SENTENCE IMPOSED |
| CHARGE CONVICTED OF: <input checked="" type="radio"/> AS ABOVE <input type="radio"/> VTL <input type="radio"/> OTHER | | DISPOSITION / SENTENCE | | FINE | |
| | | | | SURCHARGE | |

BF3562355

Southampton Town Justice Court

C.C. NUMBER

17-007008

VIOLATION COMPLAINT

ARREST NUMBER(S)

STATE OF NEW YORK }
,ss.
COUNTY OF Suffolk}

Appearance Ticket # AT60496

The People of the State
of New York

DEFENDANTS IN CUSTODY

FROM DATE & HOUR TO DATE AND HOUR

-vs-

David T. Silva (DOB: 09/17/1975)

Defendant(s)

Name Environmental Conservation Police Officer Evan
(Complainant) Laczi, Shield # 620 Of New York State Environmental
Conservation Police205, N. Belle Meade Road, e. Setauket, New York, being duly sworn, says that on or about
11733April 2011 At 450 Meadow Ln, in the Town of Southampton,
2017 at 6:30 AM, Southampton, New York

County of Suffolk, State of New York, the defendant

David T. Silva 405 Middle Gate Rd. Shinnecock NY 11968

Did wrongfully and unlawfully committed the offense(s) of:

Did not possess a marine commercial food fishing license, when taking of food fish, when setting, maintaining, operating or using a net. Used a Fyke net greater than 40 feet in length, not for recreational use. Net was positioned in the waters of Taylor's Creek, just off 450 Meadow Ln.

In violation of 13-0335/71-0923
Section

New York State Environmental Conservation Law, (ECL)

In that:

Sec. 13-0335. Food fish; license; prohibited acts.

1. A person who is domiciled in the state may take and land food fish for commercial purposes, upon obtaining a marine commercial food fishing license, except as prohibited by this chapter, from the waters of the marine and coastal district and may land food fish taken from waters outside New York state boundaries for commercial purposes. For purposes of this section "commercial purposes" shall mean the taking of food fish by any method for subsequent sale, trade or barter or to offer for sale, trade or barter and the taking of food fish when setting, maintaining, operating or using nets, except cast nets, not in excess of twenty feet in diameter, when operated by hand for the purposes of taking only Atlantic menhaden (*Brevoortia tyrannus*) and mullets (*Mugil spp.*), for recreational purposes only, seines not larger than thirty feet long or four feet deep or lift nets not larger than sixteen square feet; traps, except bait traps not more than thirty inches in length; combs; pots; or hook and line, except by angling. The fee for such license shall be two hundred fifty dollars, and shall cover all persons employed by the licensee while engaged in such employment of commercial fishing.

Sec. 71-0901. Applicability of title.

In addition to the provisions of sections 71-0101, 71-0301 and title 5 of this article the provisions of this title shall be applicable to the enforcement of articles 11 and 13 of this chapter. This title shall also apply to enforcement undertaken pursuant to the functions, powers, duties and obligations of the Department of Environmental Conservation provided for in section 41-0105.

Sec. 71-0925. Violations.

8. Any violation of sections 13-0329, 13-0330, 13-0331, 13-0333, 13-0334, 13-0335, subdivision one of section 13-0337, 13-0338, 13-0339, 13-0339-a, 13-0340, 13-0340-a through 13-0340-g, 13-0341, 13-0342, 13-0343, 13-0347, and 13-0349 of this chapter, or of any regulation adopted pursuant to the foregoing sections, shall be punishable by imprisonment of not more than fifteen days or by a fine of the greater of two hundred fifty dollars or:

c. for violations involving more than twenty-five fish, shellfish or crustaceans, one hundred dollars for each fish, shellfish or crustacean taken or possessed in violation of the above sections; or by both such fine and imprisonment.

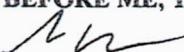
For purposes of determining the applicable fine pursuant to this subdivision, the number of fish, crustaceans or shellfish shall be the aggregate number involved in the violation, regardless of species.

TO WIT:

The defendant, On the above stated date, time and location, was engaged in commercial fishing with a net without a food fish license and took from the net 247 American Eels. The net contained an additional 98 Eels. In total 345 Eels.

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

SWORN TO BEFORE ME, This 6th Day of June 2017.


SIGNATURE OF OFFICIAL ADMINISTERING OATH
LT. Sean Reilly, Shield # 387



ECO Evan Laczi, Shield #620

BF3562366

New York State - Department of Motor Vehicles

SIMPLIFIED INFORMATION / COMPLAINT

The People of the State of New York VS.

POLICE AGENCY

DEC-02

| | | | |
|------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| LAST NAME <i>Silva, David</i> | FIRST NAME <i>T</i> | LOCAL POLICE CODE <i> </i> | |
| NUMBER & STREET ADDRESS <i>405 Middle Gate Rd</i> | | APT. NO. <input type="checkbox"/> PHOTO LIC SHOWN <input checked="" type="checkbox"/> | |
| CITY <i>Shinnecock</i> | STATE <i>NY</i> | ZIP CODE <i>11968</i> | OWNER IS <input type="checkbox"/> OPER <input checked="" type="checkbox"/> LIC CLASS/ID TYPE <i> </i> |
| I.D. NUMBER <i>518766495</i> | | SEX <input type="checkbox"/> M | DATE OF BIRTH (MMDDYY) <i>09/17/75</i> |
| STATE <i>NY</i> | | LICENSE EXPIRES (MMDDYY) <i>09/17/17</i> | VEH. TYPE <i> </i> |
| PLATE # <i> </i> | | VEH. YR. <i> </i> | VEH. MAKE <i> </i> |
| REG. STATE <i> </i> | | REGISTRATION EXPIRES (MMDDYY) <i> </i> | <i> </i> |

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

| | | | | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| TIME (24hour HHMM) <i>0630</i> | DATE OF OFFENSE (MMDDYY) <i>04/20/17</i> | VTL <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | TRAFF. RULES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | ADMIN. CODE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | PRHPL <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | EGL <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| IN VIOLATION OF: (SECTION AND SUBDIVISION) <i>40-16(1)</i> | | TR <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | M <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | I <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | S <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | D <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| DESCRIPTION / NARRATIVE <i>Possested a species of a size less than specified to wit: 207 undersized eels (under 9 inches)</i> | | MPH <input type="checkbox"/> | IN MPH ZONE <i> </i> | | | |
| PLACE OF OCCURRENCE <i>waters of Taylor's Creek, just off 450 Meadow Ln</i> | | COL VEH <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | BUS <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | HAZ MAT <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | US DOT# <i> </i> | |
| IN THE <input type="checkbox"/> City <input checked="" type="checkbox"/> Town <input type="checkbox"/> Village OF: <i>Southampton</i> COUNTY OF: <i>Suffolk</i> PRECINCT: COMPLAINANT SIGN AND PRINT NAME/RANK Affirmed under penalty of perjury <i>E. Jay Elacci / ECO</i> | | Hwy # <i> </i> | LOCATION CODE <i> </i> | | | |
| | | Hwy Type <i> </i> | NCIC <i> </i> | | | |

| | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| DATE AFFIRMED <i>04/06/17</i> | ARREST TYPE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | OFFICER ID # <i>620</i> | OFFICER'S COMMAND <i>M66</i> |
| THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW IN THE: <input type="checkbox"/> City <input checked="" type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> Criminal <input type="checkbox"/> District | | | |
| COURT OF: <i>Southampton Town Court</i> | | COUNTY OF: <i>Suffolk</i> | SUMMONS PART <input type="checkbox"/> |
| ADDRESS <i>32 Jackson Ave</i> | | | |
| CITY <i>Hampton Bays</i> | STATE <i>NY</i> | ZIP CODE <i>11946</i> | |
| <input type="checkbox"/> RETURN BY MAIL BEFORE, OR IN PERSON ON: <input type="checkbox"/> MUST APPEAR IN PERSON ON: <i>060717 at 0900 A.M.</i> | | | |
| FOR COURT USE ONLY | | | |
| COURT CODE <i> </i> | JUSTICE CODE <i> </i> | DATE ADJUDICATED <i> </i> | DATE SENTENCE IMPOSED <i> </i> |
| CHARGE CONVICTED OF: <input type="checkbox"/> AS ABOVE <input type="checkbox"/> VTL <input type="checkbox"/> OTHER | | DISPOSITION / SENTENCE <i> </i> | |
| | | FINE <i> </i> | |
| | | SURCHARGE <i> </i> | |
| AMT <i> </i> | BAIL FORFEITURE DATE <i> </i> | <input type="checkbox"/> LIC <input type="checkbox"/> REV <input type="checkbox"/> SUSP <input type="checkbox"/> MAND <input type="checkbox"/> PERM | DAYS / MONTHS / YEAR <i> </i> |



BF3562366

Southampton Town Justice Court

C.C. NUMBER

17-007008

VIOLATION COMPLAINT

ARREST NUMBER(S)

STATE OF NEW YORK }
}ss:
COUNTY OF Suffolk}

Appearance Ticket # AT60496

The People of the State
of New York

DEFENDANTS IN CUSTODY

FROM DATE & HOUR TO DATE AND HOUR

-vs-

David T. Silva (DOB: 09/17/1975)

Defendant(s)

Name Environmental Conservation Police Officer Evan Laczi, Of New York State Environmental Conservation
(Complainant) Shield # 620 Police205, N. Belle Meade Road, e. Setauket, New York, being duly sworn, says that on or about
11733April 20th At 450 Meadow LN , in the Town of Southampton,
2017 at 6:30 Southampton, New York
AM,

County of Suffolk, State of New York, the defendant

David T. Silva 405 Middle Gate Rd. Shinnecock NY 11966

Did wrongfully and unlawfully committed the offense(s) of:

Possessed on the waters of the marine and coastal district, as defined in Environmental Conservation Law (ECL) a species of a size less than that specified for such species.

In violation of 40.1(b)(ii) / 11-1303/ 71-0923
SectionTitle 6 New York Code of Rules and Regulations (6NYCRR)/ New York
State Environmental Conservation Law, (ECL)

In that:

Part 40 Marine Fish

(Statutory authority: Environmental Conservation Law, §§ 11-0303, 13-0340, 11-1303, 13-0329, 13-0340-a, 13-0340-b, 13-0340-c, 13-0340-e, 13-0340-f, 13-0341, 13-0343)

Sec. 40.1 Marine fish-open seasons, size and catch limits

(b) General provisions.

(1) It is unlawful for any person to take or possess on the waters of the marine and coastal district, as defined in Environmental Conservation Law (ECL) Section 13-0103, or the shores thereof, or anywhere inland from such shores in the counties of Suffolk, Nassau, Queens, Kings, Richmond, New York, Bronx, and those portions of Westchester County within the marine and coastal district bordering on Long Island Sound, fish of the species listed in Tables A, B or C:

(ii) of a size less than that specified for such species or outside of any slot size limit specified for such species

Sec. 13-0339-a. Atlantic cod (*Gadus morhua*), Atlantic sturgeon (*Acipenser oxyrinchus*), shortnose sturgeon (*Acipenser brevirostrum*), American eel (*Anguilla rostrata*), Atlantic herring (*Clupea horengus*), American shad (*Alosa sapidissima*), alewife (*Alosa pseudoharengus*), blueback herring (*Alosa aestivalis*), squid (*cephalopoda*), and hickory shad (*Alosa mediocris*).

1. The department may fix, by regulation, measures for the management of the following species:

b. American eel (*Anguilla rostrata*) until December thirty-first, two thousand sixteen,

Sec. 71-0923. Violations.

8. Any violation of sections 13-0329, 13-0330, 13-0331, 13-0333, 13-0334, 13-0335, subdivision one of section 13-0337, 13-0338, 13-0339, 13-0339-a, 13-0340, 13-0340-a through 13-0340-g, 13-0341, 13-0342, 13-0343, 13-0347, and 13-0349 of this chapter, or of any regulation adopted pursuant to the foregoing sections, shall be punishable by imprisonment of not more than fifteen days or by a fine of the greater of two hundred fifty dollars or:

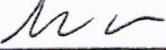
c. for violations involving more than twenty-five fish, shellfish or crustaceans, one hundred dollars for each fish, shellfish or crustacean taken or possessed in violation of the above sections, or by both such fine and imprisonment.

TO WIT:

The defendant, On the above stated date, time and location, possessed 247 American Eels of a size less than that specified for such species (Under 9 inches)

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

SWORN TO BEFORE ME, This 6th Day of June 2017.


SIGNATURE OF OFFICIAL ADMINISTERING OATH
LT. Sean Reilly, Shield # 387

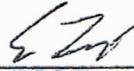

ECO Evan Laczi, Shield #620

Photo Log 4.20.17 CFS 17-007008

- 1- 450 Meadow Ln
- 2- Tax map 450 Meadow Ln
- 3- Fyke net in water
- 4- Silva ID
- 5- Bucket containing elvers
- 6- Another Bucket
- 7- Dip net in back seat
- 8- Dip net that was seized
- 9- Large dip net from back of car, also seized had dried eels
- 10- Scale 1
- 11- Scale 2 with weight
- 12- Scale 3 with container
- 13- Scale 4 with eels in container
- 14- Eels close-up
- 15- Eels taken from bucket
- 16- Seized gear, 2 buckets, large dip net, small dip net
- 17- Seized Fyke net 46'
- 18- Scale 1 with weight
- 19- Scale 2 with bag
- 20- Scale 3 with elvers